

COURT ADMITTED EXHIBITS PURSUANT TO DOCKET NO. 757

NRA EXHIBIT 23 (IN 5 PARTS)

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**Report of the Executive Director of the
National Rifle Association – Institute for Legislative Action
To the Board of Directors**

Report Prepared November 22, 2019

January 9-12, 2020

Arlington, VA

Madam President, Members of the Board and Executive Council,

The following report is an overview of the activities of the Institute for Legislative Action since January 2019.

FEDERAL AFFAIRS – Brian Calabrese, Managing Director

Introduction

Since January 2019, NRA-ILA Federal Affairs has worked to (1) oppose gun control legislation; (2) monitor legislative hearings and markups; (3) support President Trump's nominations, both Judicial and Administrative; (4) support pro-gun legislation such as H.R. 38; (5) defend and seek to advance our legislative position on various appropriations bills; (6) and prepare for the 2020 election cycle.

FY2020 Congressional Appropriations

NRA-ILA remains engaged in the appropriations process. Since the Democrats took control of the U.S. House in the mid-term elections, much of their focus has been on eliminating pro-gun riders such as the Tiahrt amendment on releasing trace data and the Dickey amendment prohibiting the Centers for Disease Control (CDC) from advocating for gun control. NRA-ILA has worked extensively with Members of the Appropriations Committee during hearings, bill markups and votes in committee and on the floor of the House to keep both the Tiahrt and Dickey amendments in the text of the House passed legislation. This has been lauded as a huge win in protecting the Second Amendment in a Democrat-controlled House.

Continuing Resolution

Currently the House has passed ten of the twelve appropriations bills while the Senate has passed four of the twelve. Both the House and Senate agreed on a short-term Continuing Resolution that will fund the government until December 20, 2019, which President Trump signed. This deal will allow more time for House and Senate Appropriators to negotiate spending levels and provisions in the individual bills.

Provisions Removed in House Appropriations Bills

Although the more significant Second Amendment riders were protected in the House such as the Tiahrt and Dickey amendments, some Democrat Subcommittee Chairmen aimed to drop any firearm related provisions even if they have been included for years and are noncontroversial. The longstanding riders that were removed in the House are listed below and they are fully expected to be restored in the Senate bills and make it through the conference process.

- **Firearms Parts Export to Canada.** Prohibits ATF from requiring an export license for small firearms parts valued at less than \$500 for export to Canada. This provision removed an unnecessary and burdensome requirement on U.S. gun manufacturers that was imposed under the Clinton Administration.
- **Importation of Curios and Relics.** Prevents ATF from arbitrarily denying the importation of qualified curio and relic firearms. This provision ensures that collectible firearms that meet all legal requirements for importation into the United States are not prevented from import by Executive Branch fiat.
- **Shotgun Importation Protections.** Prohibits the DOJ from requiring imported shotguns to meet a “sporting purposes” test that the ATF has used to prohibit the importation of shotguns with one or more features disliked by the agency, such as adjustable stocks, extended magazine tubes, etc.
- **Protecting Lead Ammo and Fishing Tackle from TSCA regulation.** Prevents lead ammunition and fishing tackle from being regulated under the Toxic Substance Control Act. This provision was added in 2014 as a safety policy against any attempt the EPA might possibly make to regulate lead ammunition, even though TSCA directly states that it is not in the EPA’s jurisdiction.

Major Provisions that remained included in the House Appropriations Bills:

- **Protecting Historic Firearms and Spent Brass Casings from Destruction.** Preserves the opportunity for American gun owners to purchase surplus firearms that are no longer of use to the U.S. military. This includes M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles and M-1911 pistols. Starting in 1979, different versions of this language have prevented these firearms from being needlessly destroyed. In 2009, Congress amended this language at the urging of NRA-ILA to prevent the destruction of spent brass casings, a boon for gun owners and reloaders concerned about the rising price of ammunition.
- **Stopping Your Tax Dollars from Funding Gun Control Reports.** Prevents the National Institutes of Health (NIH) and the Centers for Disease Control (CDC) from using taxpayer dollars to promulgate junk science designed to paint legal gun ownership as a public health hazard. Contrary to recent claims by gun control advocates that this rider prevents NIH and CDC from studying “gun violence,” the following quote was included in non-binding report language: “[w]hile appropriations language prohibits the CDC and other agencies from using

appropriated funding to advocate or promote gun control, the Secretary of Health and Human Services has stated the CDC has the authority to conduct research on the causes of gun violence.”

- **No Tax Dollars to Lobby and Promote Gun Control.** Prevents federal funds from being used for lobbying efforts designed to support or defeat the passage of legislation being considered by Congress or any state or local legislative body. Too often, community action groups are utilizing federal money to lobby for increased regulation of firearms including trigger locks, bans on semi-automatic rifles, regulating magazine capacity, etc. This funding subverts the Second Amendment and allows anti-gun Administrations to fund grassroots gun control efforts using taxpayer dollars.

Congressional and Executive Actions of the 116th Congress

Judicial Nominations

Since President Trump entered office, **164 Article III** judges have been nominated and confirmed (that includes 2 Supreme Court, 48 Appeals Court and 112 District Court). NRA-ILA will continue to work in concert with the Trump Administration, Senate Majority Leader Mitch McConnell (R-KY), Senate Judiciary Chairman Lindsey Graham (R-SC), and members on the Senate Judiciary Committee to confirm pro-Second Amendment judges.

Munitions List Modernization

On November 13, 2019, the Trump Administration announced they would soon finalize regulations by the Departments of State and Commerce to amend Categories I, II and III of the U.S. Munitions List (USML) in the International Traffic in Arms Regulations (ITAR). These finalized regulations will transfer oversight for export of some types of firearms, ammunition, and related items included in these categories from the Department of State to the Department of Commerce. This modernization to the U.S. export regime for firearms and ammunition will ease burdens and red tape on domestic firearm-related businesses, especially gunsmiths and manufacturers. NRA-ILA filed comments in support for this regulatory modernization and will keep you apprised of its implementation.

***Worman v. Healey* Amicus Brief**

On October 25, 2019, over 90 U.S. House members, led by Congressman Doug Collins (R-GA), submitted an amicus brief requesting the Supreme Court grant certiorari in *Worman v. Healey*. The petitioners in the case argue that the Massachusetts semi-auto ban is in violation the Second Amendment, as well as Supreme Court precedent. NRA-ILA helped raise awareness of the issue to garner support for the brief.

September 2019 Hearings/Markups

Throughout the month of September, gun control supporters in the U.S. House held over 10 hearings and/or markups related to gun control. While the meetings were held in various committees of jurisdiction, all were used as an opportunity to recite support for gun control policies such as universal background checks, red flag laws and semi-auto bans. Below are summaries of the most significant hearings/markups that occurred.

Assault Weapons Ban Hearing/Legislation

On September 25, 2019, the U.S House Judiciary Committee held a hearing entitled “Protecting America from Assault Weapons.” Witnesses for the majority included inner-city police chiefs, anti-gun academics and representatives for the gun control lobby – all of whom supported so-called “assault weapons” bans. Witnesses for the minority included Ms. Amy Swearer, a Heritage Foundation scholar, and Dianna Muller, founder of the DC Project and Second Amendment advocate; both gave compelling testimony in support of our right to keep and bear arms.

This hearing was an effort to placate the gun-control faction of the Democrat majority in the U.S. House of Representatives, allowing committee members to grandstand that they were “taking action” on a priority issue. However, no further action has been scheduled on “assault weapons” ban legislation following the hearing, although multiple bills have been introduced this Congress which all generally ban entire classes of commonly owned semi-automatic rifles, pistols and shotguns, including .22 long rifles.

NRA-ILA will keep you apprised of any developments.

CECIL Act Markup

On September 18, 2019, the U.S. House Committee on Natural Resources held a markup on and passed H.R. 2245, the “Conserving Ecosystems by Ceasing the Importation of Large Animal Trophies Act” (CECIL Act).

H.R. 2245 would prohibit the importation of any species listed, *or proposed to be listed*, as a threatened or endangered species under the Endangered Species Act. The bill’s sponsors claim that its provisions are intended to “conserve ecosystems.” Unfortunately, this could not be further from the truth. Not only will the bill do nothing to benefit ecosystems, it more likely will undermine the very programs that conserve the most habitat, and the bill’s blanket import prohibition ignores the conservation benefits of existing hunting programs.

NRA-ILA signed a letter with over 30 hunting and conservation organizations opposing the bill. No further action on the CECIL Act has been scheduled at this time. NRA-ILA will continue to monitor this legislation.

Extreme Risk Protection Order (ERPO) Markup

On September 10, 2019, the U.S. House Judiciary Committee, led by a gun-control majority, held a markup on and passed H.R. 1236, the “Extreme Risk Protection Order Act of 2019.”

H.R. 1236 would allow a court to issue *ex parte* (meaning the accused is not present at the judicial proceeding) firearm confiscation orders. A person could be forcibly disarmed of otherwise lawfully-possessed firearms before he or she had so much as an opportunity to contest the accusations. NRA-ILA opposes this legislation and worked with the minority members on the Committee to point out the blatant lack of due process protections in the bill. No further action on H.R. 1236 has been scheduled at this time, but NRA-ILA will keep you apprised of any developments.

Additionally, multiple ERPO bills have been introduced in 2019. NRA-ILA will not consider supporting any legislation that does not include the following:

- The process should include criminal penalties for those who bring false or frivolous charges.
- An order should only be granted when a judge makes the determination, by clear and convincing evidence, that the person poses a significant risk of danger to themselves or others.
- The process should require the judge to make a determination of whether the person meets the state standard for involuntary commitment. Where the standard for involuntary commitment is met, this should be the course of action taken.
- If an ERPO is granted, the person should receive community-based mental health treatment as a condition of the ERPO.
- Any *ex parte* proceeding should include admitting the individual for treatment.
- A person’s Second Amendment rights should only be temporarily deprived after a hearing before a judge, in which the person has notice of the hearing and is given an opportunity to offer evidence on his or her behalf.
- There should be a mechanism in place for the return of firearms upon termination of an ERPO, when a person is ordered to relinquish their firearms as a condition of the order.
- The ERPO process should allow an individual to challenge or terminate the order, with full due process protections in place.
- The process should allow firearms to be retained by law-abiding third parties, local law enforcement, or a federally licensed firearms dealer when an individual is ordered to relinquish such firearms as a condition of the ERPO. The individual must also have the ability to sell his or her firearms in a reasonable time without violating the order.

Standard Capacity Magazine Ban

On September 10, 2019, the U.S. House Judiciary Committee, led by a gun-control majority, held a markup on and passed H.R. 1186, the “Keep Americans Safe Act.”

H.R. 1186 would ban magazines that have a capacity greater than 10 rounds. NRA-ILA opposes this legislation and worked with the minority members on the Committee to point out that standard capacity magazines are constitutionally protected and important for self-defense, in addition to the fact that many of the most popular firearms in America are designed to use magazines with a capacity greater than 10 rounds.

No further action on H.R. 1186 has been scheduled at this time. NRA-ILA will keep you apprised of any developments.

Misdemeanor Hate Crime Prohibitions

On September 10, 2019, the U.S. House Judiciary Committee, led by a gun-control majority, held a markup on and passed H.R. 2708, the “Disarm Hate Act.”

H.R. 2708 would create a new prohibited category for “hate crime misdemeanors.” NRA-ILA opposes this legislation since permanently losing a fundamental civil right for a misdemeanor conviction is virtually unheard of outside the Second Amendment context. Therefore, this bill is a clear attempt to treat the Second Amendment as a second-class right. H.R. 2708 uses the legitimate and serious issue of hate crimes as a smokescreen for its real goal of banning firearm ownership.

No further action has been scheduled on H.R. 2708 at this time. NRA-ILA will keep you apprised of any developments.

AG Background Check Proposal

On September 18, 2019, U.S. Attorney General William Barr visited the U.S. Senate to pitch a proposal for expanded background checks, which closely mirrored the Manchin/Toomey background legislation that has failed to pass in the U.S. Senate multiple times since 2013. His proposal did not appear to have support from the President and received an unenthusiastic reception from lawmakers in the Senate.

NRA-ILA Executive Director Jason Ouimet’s statement on the proposal: “[t]his missive is a non-starter with the NRA and our 5 million members because it burdens law-abiding gun owners while ignoring what actually matters: fixing the broken mental health system and the prosecution of violent criminals.”

No further action has occurred on AG Barr’s proposal.

***Remington Arms Co. v. Soto* Amicus Brief**

On September 4, 2019, 22 Members of the U.S. House of Representatives, led by Congressman James Sensenbrenner (R-WI), submitted an amicus brief requesting the Supreme Court grant certiorari in *Remington Arms Co. v. Soto*. The petitioners in the case argue that the Connecticut Supreme Court misinterpreted the protections afforded, to manufacturers and sellers of firearms, by Protection of Lawful Commerce in Arms Act of 2005. NRA-ILA helped raise

awareness of the issue to garner support for the amicus brief. Unfortunately, the Supreme Court did not grant certiorari for the case.

ATF Director Nomination

On July 31, 2019, the U.S. Senate Judiciary Committee held a hearing on the nomination of current Fraternal Order of Police President Kenneth Canterbury, Jr. to be Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Mr. Canterbury fielded questions from both sides of the aisle on various firearms issues. He stated he is a strong supporter of the Second Amendment and that he would not support a ban on semiautomatic rifles or so-called "Universal Background Checks."

Mr. Canterbury has also committed to streamline regulatory processes at ATF to provide stakeholders the regulatory consistency required in order to manufacture and sell firearms, ammunition, and accessories that make the application of the Second Amendment possible.

On November 12, 2019, NRA signed on to a letter supporting his nomination; other signatories include: National Shooting Sports Foundation, Congressional Sportsmen's Foundation, Safari Club International, American Suppressor Association, and the Second Amendment Foundation.

The ATF is an organization in need of strong leadership who respects the rule of law and the Second Amendment, and NRA-ILA will continue to work to get Mr. Canterbury confirmed in the Senate. NRA-ILA will keep you apprised of any developments.

Senate Homeland Security Hearing

On July 25, 2019, the U.S. Senate Homeland Security Committee held a hearing entitled "Examining State and Federal Recommendations for Enhancing School Safety Against Targeted Violence." Witnesses were Max Schachter, Safe Schools for Alex; Tom Hoyer, The National Association of Families for Safe Schools; Sheriff Bob Gualtieri, Pinellas County, Florida; and Deborah Temkin, PH.D., Education Child Trends.

This hearing largely focused on mental health programs, school construction/layouts, emergency responder communication, school resource officers and early intervention. While one witness's opening statement did advocate for safe storage laws, "universal background checks" and extreme risk protection orders, Chairman Ron Johnson (R-WI) stated the committee would only focus on issues under its jurisdiction. NRA-ILA will continue to monitor committee action.

Munitions List Amendment to NDAA

On July 11, 2019, the U.S. House of Representatives debated H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. An amendment was offered by Rep. Norma Torres (D-CA) that would stop the imminent rulemakings to transfer export oversight from State

Department to the Commerce Department for various firearms, ammunition and related items included in Categories I, II and III of the U.S. Munitions List.

NRA-ILA opposes and scored against this amendment, as the rulemakings would modernize America's export regime for military and civilian technology and would recognize that commonly-available firearms and ammunition – as well as their parts, components, and accessories – need not be subject to the same export controls that apply to systems like aircraft carriers, tanks, strategic bombers and military code-breaking software.

Unfortunately, the amendment was adopted by a vote of 225-205, and H.R. 2500 ultimately passed. NRA-ILA is working with the Senate Armed Services Committee to ensure this provision is not included in the final NDAA version.

Hearing on Chronic Wasting Disease

On June 25, 2019, the Subcommittee on Oversight and Investigations of the House Natural Resources Committee held a hearing on Chronic Wasting Disease (CWD), a fatal, neurological illness occurring in North American members of the deer family. The committee heard from experts from Cornell University, the National Deer Alliance, and wildlife management departments for Missouri and Texas. Both sides of the aisle agreed that research funding would be beneficial in efforts to find a cure and discover better management options for CWD.

Additionally, the NRA signed a letter on June 21, 2019, along with 37 other hunting and conservation organizations, urging congressional action on this issue with legislation that would ensure that wildlife managers and agencies have accurate and reliable scientific information concerning CWD, as well as provide necessary funding to state and tribal agencies to develop strategies to combat CWD from spreading. NRA-ILA will continue to monitor this issue.

Hearing on Veteran and Active-Duty Military Suicide

On May 8, 2019, the House Committee on Oversight and Reform held a hearing on veteran and active-duty military suicides and methods to prevent them. The committee heard from experts from the Department of Defense, the Department of Veterans Affairs, and the RAND Corporation.

The committee discussed in length the best practices available for reducing suicides among veterans and current military personnel. A witness and several members of Congress discussed briefly the role that firearms play in suicide rates, but it did not receive in-depth attention. The focus remained on existing programs and treatments currently available to veterans and military personnel and their effectiveness. NRA-ILA did voice concerns to committee members about the current Veterans Affairs policy that has been effectively banning veterans who receive disability benefits and use a fiduciary to help manage those benefits from gun ownership. These veterans are being stripped of their Second Amendment rights by a bureaucratic rule that denies them due process, which also has collateral effect of deterring

veterans from seeking the treatment they may need and rightly earned. NRA-ILA will continue to monitor this issue.

U.S. House Financial Services Hearing

On April 10, 2019, the House Financial Services Committee held a hearing it called, “Holding Megabanks Accountable: A Review of Global Systemically Important Banks 10 years after the Financial Crisis.” Called to testify were the heads of Bank of America, Citigroup, JP Morgan Chase & Co., Morgan Stanley, State Street Corporation, Bank of New York Mellon, and Goldman Sachs. Although the title of the hearing should have indicated it was intended to look at the nation’s largest banks and their banking practices after the 2008 recession, the topics of guns was brought up for discussion.

Reps. Carolyn Maloney (D-NY) and Madeleine Dean (D-PA) highlighted recent mass murders, then praised Citigroup CEO Michael Corbat and Bank of America CEO Brian Moynihan. Those banks chose to cave in to anti-gun extremists and establish policies that sought to force their customers in the firearm industry to change their practices, or lose access to financial services. Maloney and Dean also chided the remaining banks that had chosen not to reduce services to the firearm industry.

Reps. Bill Posey (R-FL) and Sean Duffy (R-WI) thanked the banks that had not buckled to pressure from gun control advocates. Duffy pointed out to BoA’s CEO that his company’s policy on guns is likely not supported by a great many of the customers his bank serves. Duffy stated that the policies may play well in places like California, but reminded Moynihan that the name of his bank is the Bank of America, not the Bank of New York or California.

This hearing exposed, yet again, the efforts of anti-gun extremists to use any means necessary to try to drive gun manufacturers out of business.

U.S. Interior Secretary Nomination

On April 4, 2019, the Senate Energy and Natural Resources Committee approved the nomination of David Bernhardt to be Secretary of the Interior with a bipartisan vote of 14-6, and on April 11, the U.S. Senate confirmed his nomination with a bipartisan vote, 56-41. NRA-ILA sent a letter of support for his nomination.

Violence Against Women Act

On April 3, 2019, H.R. 1585, a bill to reauthorize the Violence Against Women Act (VAWA) of 1994, was brought to the U.S House Floor for debate. VAWA is a broad bill that generally provides funding and grants for a variety of programs that tackle domestic abuse and has been reauthorized approximately every 5 years.

NRA-ILA has never taken a position in VAWA in the past, however, House Democrats included provisions in H.R. 1585 that seeks to expand the list of misdemeanor crime convictions

that result in permanent firearm prohibitions and deny due process protections for law-abiding gun owners. As a result, NRA-ILA scored against this legislation.

This bill passed the Democrat-controlled House by a vote of 263-158. NRA-ILA is working with U.S. Senate leadership and the Judiciary Committee to prevent similar provisions being included in the Senate VAWA version. NRA-ILA will keep you apprised of any developments.

U.S Senate Judiciary ERPO Hearing

On March 26, 2019, the U.S. Senate Judiciary Committee held an informational hearing on Extreme Risk Protection Orders (ERPO), otherwise referred to as “Red Flag Laws.” The hearing, chaired by Senator Lindsey Graham (R-SC), didn’t focus on any specific piece of federal legislation, but instead was a discussion on how current state ERPO laws have been implemented and what role the federal government could have going forward.

The witnesses were Mr. Ronald Honberg, a Senior Policy Advisor for the National Alliance on Mental Illness; Ms. Amanda Wilcox, the Legislative Chair for Brady California; Sheriff Ric Bradshaw of Palm Beach County, Florida; Ms. Kimberly Wyatt, a prosecutor for the King County Prosecuting office in Seattle, Washington; and Mr. Dave Kopel, the Research Director for the Independence Institute. These witnesses testified about a number of gun related issues, but focused primarily on the elements necessary for what they consider a “proper” ERPO bill. Mr. Kopel, a professor and constitutional scholar, repeatedly stressed the importance of providing front-end due process and a high evidentiary standard before an ERPO could be issued.

NRA-ILA has publicly stated the requirements of an ERPO process that the NRA could support, but has yet to support any state ERPO legislation that has become law. None of them adequately protect due process rights. In addition, the NRA opposes any effort to create a federal ERPO law, in which federal agents would be tasked with seizing firearms after a hearing in federal court. We have made our ERPO position clear to Chairman Graham, and NRA-ILA continues to monitor Senate Judiciary action on this issue and will keep you apprised of any developments.

U.S. House Foreign Affairs Committee

On March 26, 2019, the House Committee on Foreign Affairs Subcommittee on Oversight and Investigations held a hearing on the forthcoming rulemakings from Departments of State and Commerce to amend Categories I, II and III of the U.S. Munitions List (USML) in the International Traffic in Arms Regulations (ITAR). These proposed rules will transfer oversight for export of some types of firearms, ammunition, and related items included in these categories from the Department of State to the Department of Commerce.

The hearing was chaired by Rep. Ami Bera (D-CA). Rep. Bera expressed concerned about the removal of prior congressional approval to allow a transfer of firearms. However, Ranking Member Lee Zeldin (R-NY) and other members of the minority highlighted that this

was originally a bipartisan proposal under the Obama Administration aimed at increasing uniformity in regulation, and the items are still subject to close government oversight, including the requirement in most cases that any person or entity wishing to export them to any foreign nation get a federally-issued license to do so.

Bump Stocks

In December 2018 Acting Attorney General Matthew Whitaker announced that the Department of Justice has amended the regulations of ATF to classify “bump-stock-type-devices” as “machineguns” under the National Firearms Act. The rule requires possessors of bump-stock-type devices to destroy the devices or turn them in to ATF by the effective date of the final rule – March 26, 2019.

NRA-ILA issued the following statement regarding the bump stock rule, “Today, the Department of Justice announced a final rule on “bump-stock-type devices.” We are disappointed that this final rule fails to address the thousands of law-abiding Americans who relied on prior ATF determinations when lawfully acquiring these devices. As we recommended to ATF in our comments on the proposed rule, Congress made it possible for the Attorney General to provide amnesty for firearms regulated under the National Firearms Act. The Attorney General should have exercised that authority to provide a period of amnesty under this rule.”

We made clear in our formal comments to ATF on the proposed rule that bans are never an effective deterrent to criminal behavior, and we further advised that ATF should at a minimum make an amnesty period available to deal with the fundamental inequity imposed on law-abiding gun owners who purchased their bump fire stocks in good faith reliance on prior ATF determinations.

U.S. Senate Banking Bill

On March 14, 2019, pro-gun Sens. Kevin Cramer (R-ND) and John Kennedy (R-LA) introduced S. 821, the Freedom Financing Act, a bill to prohibit discrimination against the firearms industry in the provision of financial services. The Freedom Financing Act aims to put a stop to discrimination by ensuring that banks participating in certain federal programs – as well as credit card companies, credit unions, and users of the Automated Clearing House Network – cannot refuse business with law-abiding federal firearm licensees for political or “reputational” reasons. NRA-ILA will keep you apprised of any developments with this bill.

House Financial Services Hearing

On March 12, 2019, the House Financial Services Committee held a hearing on “Holding Megabanks Accountable.” This hearing was supposed to focus on Wells Fargo and their consumer abuses, hence the lone witness, Wells Fargo CEO, Timothy Sloan. However, Carolyn Maloney (D-NY) attempted to hijack the hearing and make it about gun control. She proceeded with a line of questioning that asked Mr. Sloan, “Why, does Wells Fargo continue to put profits over people by financing companies that are making weapons that are literally killing our

children and our neighbors? ... How bad does the mass shooting epidemic have to get before you will adopt common sense gun safety policies like other banks have done?" Mr. Sloan replied, "We don't put profits over people. We bank many industries across this country. We just don't believe that it is a good idea to encourage banks to enforce legislation that doesn't exist." From this point forward, the hearing refocused on Wells Fargo's consumer account abuses and less on gun control.

Lands Package/Sportsmen's Act

On March 12, 2019, President Trump signed S. 47, the John D. Dingell, Jr. Conservation, Management, and Recreation Act. The 260 page bill was a compilation of numerous federal land management bills that have been in play in Congress for years, if not decades. The bill, a far cry from the robust sportsmen's acts that have been passed by the U.S. House for the past several years, included mostly parochial priorities for senators and members of congress. However, it did include a handful of helpful new laws. Highlights include language that will require the federal government to keep federal lands open to hunting, shooting and fishing unless the land is specifically closed to such uses; requiring the federal government to manage wildlife habitat consistent with the state's management goals for wildlife; allowing the use of hunters for game control in national parks (rather than hired sharp shooters, for example); and, requiring sportsmen's access on a certain portion of land acquired by the federal government.

H.R. 8/H.R. 1112

When Democrats took control of the U.S. House, they promised swift action on gun control legislation. Accordingly, on February 6, 2019, the U.S. House Judiciary Committee, chaired by Representative Jerrold Nadler (D-NY), held a hearing on gun control. The focus of the hearing was so-called "first steps" in "common sense gun safety measures" to expand firearm background checks and waiting periods. The hearing laid the groundwork for committee action on H.R. 8, the Bipartisan Background Checks Act of 2019, and H.R. 1112, the Enhanced Background Checks Act of 2019.

H.R. 8, the Bipartisan Background Checks Act of 2019, would impose so-called "universal" background checks on firearm transfers. The bill is misleadingly described as simply requiring background checks on all sales of firearms, but this is just a small part of what the overly broad legislation would do. The bill would make it a crime, subject to certain exceptions, to simply hand a firearm to another person. Any time gun owners carry out this simple act, they would potentially be exposing themselves to up to a year in prison and \$100,000 fine. While the bill does create some exceptions, they are overly complicated and create many traps for unwary gun owners.

H.R. 1112, the Enhanced Background Checks Act of 2019, would eliminate the current three day proceed to sale provision under the federal background check system. In its place, the bill would put law-abiding gun owners in an endless loop of background checks that would prevent them from exercising their constitutional rights. Without the three day proceed to sale provision, the FBI has no incentive to complete checks in a timely manner, which would result in arbitrary delays wrongly affecting millions of people every year.

On February 27, 2019, Democrats brought H.R. 8 and H.R. 1112 to the U.S. House floor for debate under a “structured rule,” meaning Democrats blocked the majority of pro-gun amendments to the bills. NRA-ILA alerted members of congress that we would score against this legislation. H.R. 8 passed the House with a final vote of 240-190, and H.R. 1112 passed the House with a final vote of 228-198.

H.R. 8 and H.R. 1112 have now been sent to the U.S. Senate for consideration. NRA-ILA is actively working with leadership in the U.S. Senate to ensure that these bills do not gain traction. Due to the 60-vote requirement to overcome the filibuster, gun control advocates have an uphill battle before them, but NRA-ILA is not taking anything for granted. Senate Democrats have attempted to pass H.R. 8 by “Unanimous Consent,” but it was blocked by Senate Republicans.

Additionally, it is important to note that the Trump Administration issued a Statement of Administration Policy (SAP) opposing both H.R. 8 and H.R. 1112. The SAP states that if either bill is presented to the President, his advisors would recommend he veto the legislation.

S. 42, the Background Check Expansion Act

On January 8, 2019, Senator Chris Murphy (D-CT) introduced S. 42, the Background Check Expansion Act, a companion bill to H.R. 8. This bill has all of the flaws associated with H.R. 8, in addition to the implementation of a federal gun registry and stricter penalties. Under S. 42, an unlawful transfer could be penalized by up to five years in prison and a fine of \$250,000.

Additional Anti-gun Bills

Throughout the 116th Congress, scores of anti-gun bills have been introduced. Some of the most notable anti-gun bills include:

- S. 2449, the Federal Firearm Licensing Act (Sen. Booker, D-NJ), would require licenses to acquire firearms.
- H.R. 1296 and S. 66, the Assault Weapons Ban of 2019 (Rep. David Cicilline and Sen. Feinstein), would ban ownership of commonly owned semi-automatic rifles.
- H.R. 1186 and S.447, the Keep Americans Safe Act (Rep. Ted Deutch, D-FL and Senator Menendez, D-NJ), would ban large capacity magazines.
- H.R. 1531 (Rep. Peter King, R-NY), would deny firearm purchases to those on the “No Fly” and “Terrorist Watch List.”
- H.R. 717, the Raise the Age Act (Rep. Anthony Brown, D-MD), would increase the age from 18 years to 21 years to by semiautomatic centerfire rifles.
- H.R. 1262, the 21 to Buy Act (Rep. Ted Deutch, D-FL), would increase the age to buy a long gun from 18 years to 21 years.
- H.R. 687 (Rep. Watson-Coleman, D-NJ), would require handgun registration.
- S. 193 (Sen. Blumenthal, D-CT), would create mandatory firearm storage requirements.
- H.R.952, the Armor-Piercing Bullets Act of 2019 (Rep. Elliot Engel, D-NY), would ban currently legal and commonly-used ammunition.

While many of the anti-gun bills were introduced for the sole purpose of anti-NRA messaging and political rhetoric, NRA-ILA is actively monitoring all of these bills and working with supporters on Capitol Hill to prevent them from gaining traction or passing.

Concealed Carry Reciprocity

On January 3, 2019, Richard Hudson (R-NC) introduced H.R. 38, the Concealed Carry Reciprocity Act of 2019. It would allow law-abiding Americans who are eligible to carry a concealed handgun under the law of a state to do so in all other U.S. states and territories that recognize the right of their own residents to carry concealed. This same legislation passed the U.S. House in 2017.

Senator John Cornyn (R-TX) has introduced similar legislation, S. 69, the Constitutional Concealed Carry Reciprocity Act of 2019, in the U.S. Senate. Right-to-carry reciprocity remains NRA's top federal pro-gun legislative priority.

Hearing Protection Act

On January 3, 2019, Representative Jeff Duncan (R-SC) introduced H.R. 155, the Hearing Protection Act. This bill would remove sound suppressors from regulation under the National Firearms Act (NFA), leaving them to be treated as ordinary firearms subject to the usual NICS check and Form 4473 for dealer sales. This bill currently has 56 cosponsors. On March 14, 2019, Senator Mike Crapo (R-ID), introduced the Senate companion bill, S.817.

SHUSH Act

On January 24, 2019, Senator Mike Lee (R-UT) introduced S. 202, the Silencers Help Us Save Hearing Act (SHUSH). This bill would provide that silencers/suppressors would be treated as firearm accessories under the law, just like scopes, fore-grips, stocks, etc. This bill currently has 5 cosponsors. Representative Steve King (R-IA) introduced a companion bill in the House, H.R. 775.

Deterring Corporate Gun Control Policy:

On March 14, 2019, Senator Kevin Cramer (R-ND) introduced S. 821, a bill that aims to deter large banks, credit unions and credit card companies from refusing services or cutting relationships with Federal Firearm Licensees and their businesses on the basis of social gun-control policy. Otherwise, those financial entities would not be eligible for Federal Reserve, FDIC and other federal financial programs.

This legislation is in response to large institutions such as Citigroup, Bank of America and JPMorgan Chase that have recently adopted gun control as part of their corporate policy following pressure from national gun control groups.

Second Amendment Guarantee Act

On February 7, 2019, Representative Chris Collins (R-NY) introduced H.R.1072, the Second Amendment Guarantee Act, a bill that would shield popular rifles and shotguns, including the AR-15, from being banned under state laws. The legislation would ensure that state regulations could not effectively prevent the manufacture, sale, importation, or possession of any rifle or shotgun lawfully available under federal law, or impose any prohibitive taxes, fees, or design limitations on such firearms.

Protecting Carry Rights on Army Corps of Engineers Property

On January 17, 2019, Representative Bob Gibbs (R-OH) introduced H.R. 1045, the Recreational Lands Self-Defense Act of 2019. This bill would eliminate the current ban that prevents the carrying of firearms on Army Corps of Engineers property. NRA-ILA is also working with the Trump Administration to try and fix this via the Secretary of the Army.

Lie and Try

On February 27, 2019, Representative Ben Cline (R-VA) introduced H.R. 1397, the Notify ICE Act. This legislation would require that Immigration and Customs Enforcement (ICE), be notified when an illegal immigrant is denied the ability to purchase a firearm through NICS.

2019 Special Elections

Pennsylvania 12th District

The 12th district became vacant when Rep. Tom Marino resigned on January 23, 2019. A special election was held on May 21, 2019. NRA-PVF endorsed and “A” rated Republican candidate Fred Keller defeated “F” rated Democrat Marc Friedenberg 68.1% - 31.9%.

North Carolina 3rd District

The 3rd District became vacant when Rep. Walter Jones passed away on February 10, 2019. In the September 10, 2019 special election, “A” rated and NRA-PVF endorsed candidate Greg Murphy defeated former Greenville Mayor Allen M. Thomas 61.7% - 37.5%.

North Carolina 9th District

Due to allegations of election fraud, the NC State Board of Elections called for a new race in the 9th District. In the September 10, 2019 special election, “A” rated and NRA-PVF endorsed candidate Dan Bishop defeated “D” rated Dan McCready 50.7% - 48.6%.

STATE & LOCAL AFFAIRS – Todd Adkins, Managing Director

In 2019, State and Local Affairs worked to prevent passage of gun control legislation and to reform gun laws. Results are listed below:

Pro-Gun/Pro-Hunting Legislation Enacted into Law:

Arkansas

Senate Bill 17 reduces the fee for a License to Carry a concealed handgun. SB 17 was signed into law on February 6.

Senate Bill 400 clarifies the possession of firearm suppressors in Arkansas by deleting vague language in state law that does not reflect federal law. SB 400 was signed into law on March 19.

Senate Bill 403 requires the State Police to attempt to trade any forfeited firearm to a Federally Licensed Firearms Dealer (FFL) for credit towards future purchases for the law enforcement agency. SB 403 was signed into law on April 2.

Florida

Senate Bill 7030 authorizes local school boards to allow classroom teachers to go through training and carry firearms on school campuses. SB 7030 was signed into law on May 9.

Senate Bill 7059 protects the privacy of concealed permit holders by prohibiting the disclosure of applicant and permit holder information. SB 7059 was signed into law on May 14.

House Bill 5 is an amendment that prevents out-of-state individuals from sending paid, out-of-state petition gathering into Florida for the benefit of out-of-state special interests. HB 5 was signed into law on June 7.

House Bill 829 imposes an award of attorney fees and costs and damages in civil actions against local governments when organizations and individuals bring lawsuits against municipalities and counties for violating preemption laws. HB 829 was signed into law on June 27.

Georgia

Senate Bill 72 repeals the prohibition on hunting of wildlife management areas (WMA), increases the number of deer tags available to each hunter and allows baiting so long as it doesn't go onto another's property. SB 72 was signed into law on May 7.

Idaho

House Bill 206 lowers the age requirement for permitless carry from 21 to 18. HB 206 was signed into law on April 2.

Indiana

Senate Bill 119 removes the term “assault weapon” from the Indiana code and replaces it with “machine gun.” SB 119 was signed into law on May 2.

House Bill 1284 provides immunity for a justified use of force in certain instances to prevent frivolous lawsuits, requires courts to award, in certain instances, reasonable attorney fees if it determines a lawsuit against an instance of justified use of force was brought unjustly, extends the four-year License to Carry a Handgun (LCH) to five years, eliminates fees to apply for or renew the five-year LTCH starting in 2020, clarifies the authority of private property owners to establish carry policies in places of worship and allows those applying for a LTCH to register to vote at the same time. HB 1284 was signed into law on April 25.

Kentucky

Senate Bill 150 allows individuals who are not prohibited by law from possessing a firearm to carry without a license. SB 150 was signed into law March 11.

Maine

Legislative Document 27 expands opportunities to hunt with a crossbow during the spring turkey season and the deer archery season for three years. LD 27 was signed into law on May 14.

Legislative Document 79 protects shooting ranges by allowing the discharge of a firearm on a shooting range that is within 100 yards of a building, if the shooting range was in regular operation prior to the erection of the building. LD 79 was signed into law on March 29.

Minnesota

Senate File 7 establishes a \$500,000 grant program to schools to increase firearms safety, trap shooting, archery, hunting, and angling activities in courses that are consistent with required state standards for physical education; a \$200,000 grant to nonprofit organizations operating high school fishing leagues providing basic angling curriculum; allows dogs to pursue downed big game and wounded deer and bear; provides a certificate of completions of a hunter safety course to one with a permanent physical disability; the use of artificial light to track a wounded deer; night vision equipment to take a coyote or fox; and allows for baiting bear on public lands under certain circumstances. SF 7 was signed into law on May 30.

Mississippi

House Bill 1581 clarifies the meaning of courtroom and courthouse in the enhanced permit statute by limiting prohibited places to a prescribed list of areas. HB 1581 was signed into law on March 14.

North Dakota

Senate Bill 2140 allows residents to produce a digital copy of their concealed permit card and reduces the penalty for not having your permit on you from a Class B misdemeanor to a non-criminal offense and a fine of \$20. SB 2140 was signed into law on April 25.

House Bill 1042 clarifies that an individual carrying concealed under the permitless carry rules can carry a pistol in a vehicle. HB 1042 was signed into law on April 9.

House Bill 1308 amends state law to clarify that a binary trigger does not fall under the definition of a “machine gun, submachine gun, or fully automatic rifle.” HB 1308 was signed into law on April 9.

House Bill 1381 prohibits the use of taxpayer dollars to fund “firearm buyback programs.” HB 1381 was signed into law on April 9.

Oklahoma

House Bill 2597 allows individuals who are not prohibited by law from possessing a firearm to carry without a license. HB 2597 was signed into law on February 27.

South Dakota

Senate Bill 47 allows individuals who are not prohibited by law from possessing a firearm to carry without a license. SB 47 was signed into law on January 31.

Senate Bill 115 allows holders of enhanced concealed carry permit to carry in the Capitol. SB 115 was signed into law on March 18.

House Bill 1056 strengthens South Dakota’s firearms preemption law. HB 1056 was signed into law on March 5.

Tennessee

House Bill 167 / Senate Bill 403 creates mandatory prison penalties for the theft of a firearm. HB 167 / SB 403 were signed into law on May 29.

House Bill 187 / Senate Bill 446 creates protections for privately owned or operated shooting ranges by preventing government entities from enacting or enforcing rules, regulations, or policies that prohibit their ownership, construction or operation. HB 187 / SB 446 were signed into law on April 30.

House Bill 712 / Senate Bill 594 streamlines state law and removes confusion by updating the definition of “firearm” and “antique firearm” to mirror the terms used in federal law. HB 712 / SB 594 were signed into law on May 2.

House Bill 1264 / Senate Bill 705 allows individuals seeking a concealed carry permit to use a hunter education or firearm safety course and allow the course to be taken online, however this permit would not allow for concealed carry on higher education campuses. HB 1264 / SB 705 were signed into law on May 24.

Texas

Senate Bill 535 repeals the prohibition on carrying in churches or other places of worship. SB 535 was signed into law on June 7.

Senate Bill 741 prohibits a property owners' association from including or enforcing an instrument that prohibits, restricts, or has the effect of prohibiting or restricting any person who is otherwise authorized from lawfully possessing, transporting, or storing a firearm. SB 741 was signed into law on June 14.

Senate Bill 772 provides for the inadmissibility of evidence in certain civil actions of a person's failure to forbid handguns on certain property. SB 772 was signed into law on June 14.

House Bill 121 provides a legal defense for License to Carry holders who unknowingly enter establishments with firearms prohibited signs, as long they promptly leave when verbally informed of the policy. HB 121 was signed into law on May 28.

House Bill 302 protects the rights of tenants to lawfully possess firearms in their residential rental properties and to transport their guns between their personal vehicles and those locations. HB 302 was signed into law on May 16.

House Bill 1143 limits the authority of school districts to regulate the manner in which firearms and ammunition are stored in private motor vehicles parked on school property (including by school employees). HB 1143 was signed into law on June 10.

House Bill 1177 protects citizens from being charged with a crime for carrying a handgun while evacuating from an area during a declared state or local disaster, or while returning home. HB 1177 was signed into law on June 14.

House Bill 1791 closes loopholes in the "wrongful exclusion" law that cities, counties and state agencies have been using to restrict License to Carry holders in government buildings. HB 1791 was signed into law on June 10.

House Bill 2363 allows foster parents to store firearms in a safe and secure manner while making them more accessible for personal protection. HB 2363 was signed into law on June 14.

House Bill 3231 strengthens firearms preemption and was signed into law on June 14.

Utah

House Bill 114 clarifies existing law that an individual has no duty to retreat in a self-defense situation. HB 114 was signed into law on March 25.

Pennsylvania

Senate Bill 147 would legalize Sunday hunting.

Washington

Senate Bill 6025 ensures that personal information from those who surrender bump-fire stocks cannot be released to the public. SB 6026 was signed into law on April, 30.

House Bill 1934 allows military members who are stationed or assigned out-of-state to renew their CPL by mail. HB 1934 was signed into law on April 24.

West Virginia

Senate Bill 4 strengthens the firearms preemption law to ensure consistency throughout the State. SB 4 was signed into law March 25.

Pro-Gun/Pro-Hunting Legislation Vetoed by Governor:

Montana

House Bill 325 would strengthen Montana's firearms preemption law.

Virginia

House Bill 2253 would require the State Police to issue nonresident concealed carry permits within 90 days.

Pending Pro-Gun/Pro-Hunting Legislation:

Massachusetts

Senate Bill 467 would allow the use of crossbows for hunting.

Senate Bill 473 would allow the use of shotguns to hunt bear.

Senate Bill 487 would repeal the prohibition on Sunday hunting.

Senate Bill 489 would allow the use of shotgun ammunition, containing projectiles, for the purpose of hunting.

House Bill 2122 would provide a clear presumption that the right to keep and bear arms is an individual civil right preventing unnecessary harassment. In addition, the bill would strengthen the firearms preemption law to ensure consistency throughout the State.

House Bill 2144 would expand protections for out-of-state/non-residents while traveling through the Commonwealth with a firearm.

Michigan

House Bill 4021 would create a lifetime Concealed Pistol License (CPL).

House Bill 4022 would reduce the fee for a License to Carry a concealed handgun from \$100 to \$40.

House Bill 4026 would eliminate pistol free zones.

House Bill 4331 would allow firearm transportation on all-terrain vehicles (ATVs) or UTVs on private land.

House Bill 4434 would reduce the offense of carrying a handgun on an expired CPL from a felony under current law to a civil fine of \$330, as long as it's within one year of expiration and the person is still legally eligible for a CPL.

New Jersey

Assembly Bill 230 would repeal one-gun-a-month.

Assembly Bill 505 would remove BB guns from the classification as a firearm.

Assembly Bill 1167 / Senate Bill 3580 would require Kindergarten through Sixth grade to offer the Eddie Eagle Gun Safe Program.

North Carolina

House Bill 61 would allow individuals who are not prohibited by law from possessing a firearm to carry without a license, licensees to store handguns in vehicles at the capitol, legislators and legislative staff to carry at the capitol, individuals to carry at public places where extracurricular school activities take place if they are not involved, licensees to pick-up/drop-off at schools if the vehicle is only unlocked to allow passengers to enter or exit, licensees to carry at churches which operate a private school, and direct the Board of Education to develop a firearm safety course and a wildlife conservation course at the high school level.

Pennsylvania

Senate Bill 531 would strengthen Pennsylvania's firearms preemption law.

South Carolina

Senate Bill 139 would allow individuals who are not prohibited by law from possessing a firearm to carry without a license.

Pro-Gun/Pro-Hunting Legislation Carrying Over to 2020:

California

Assembly Bill 284 would permanently recognize California's junior hunting license.

Iowa

Senate File 165 would allow individuals who are not prohibited by law from possessing a firearm to carry without a license.

Senate Joint Resolution 18, proposes an amendment to the Constitution to guarantee the Right to Keep and Bear Arms. SJR 18 passed both chambers in 2019 and needs to pass again in the 2021-2022 General Assembly before a constitutional amendment is put on the ballot.

House File 636 would allow Iowa Permit to Carry Weapons (PCW) holders to go onto school grounds to pick up and drop off students without having to first unload and lock up their firearms in their vehicles and would prevent employers from prohibiting employees to store firearms in their locked personal vehicles while on the employer's parking lot.

House File 716 would repeal the current restriction that only allows "straight-walled" cartridges by allowing the use of traditional, "bottle-necked" rifle and pistol cartridges for hunting deer in Iowa.

Kansas

House Bill 2326 would recognize all out-of-state concealed carry permits.

Montana

Legislative Referendum 130 proposes an amendment to the Constitution to strengthen Montana's firearms preemption law. Legislative Referendum 130 will go on the 2020 ballot.

Vermont

Senate Bill 1 would repeal the July 1, 2019 sunset on allowing large capacity ammunition feeding devices to be transported into Vermont for shooting competitions.

Senate Bill 2 would permit large capacity ammunition feeding devices to be transferred from one immediate family member to another by a properly executed will.

Senate Bill 13 would permit the transfer of large capacity ammunition feeding devices between immediate family members.

House Bill 56 would allow for hunting with suppressors.

Washington

House Bill 1024 would prohibit a government database of law-abiding gun owners from pistol purchase applications.

Pro-Gun/Pro-Hunting Legislation Defeated or Failed to Pass:

Arizona

House Bill 2693 would allow law-abiding citizens to store their loaded firearms in their locked vehicle on school property.

Arkansas

Senate Bill 484 / House Bill 1059 would remove a person's "duty to retreat" from any place the person has a legal right to be in cases of self-defense.

California

Assembly Bill 1096 would change California's permitting statute from may to shall issue.

Assembly Bill 1559 would create an emergency concealed carry weapons permit for a person with a protective order.

Colorado

House Bill 1021 would repeal the 2013 ban on the amount of ammunition a magazine can hold.

Connecticut

Senate Bill 940 would allow pistol permit holders to carry a handgun for self-defense in state parks and forests.

House Bill 5227 would strengthen the firearms preemption law to ensure consistency throughout the State.

House Bill 5870 would allow law-abiding citizens who already own registered "assault weapons" and large capacity magazines to transfer them amongst themselves.

Florida

House Bill 403 / Senate Bill 1238 would restore private property rights to churches, synagogues, and other religious institutions allowing law-abiding citizens to carry concealed on their property.

House Bill 6005 would restore the right of law-abiding citizens to have firearms securely stored in their vehicles in school parking lots.

Idaho

House Bill 203 would allow concealed carry in public schools by those individuals with an enhanced Idaho License to Carry concealed.

Indiana

House Bill 1643 would eliminate the fee for a lifetime License to Carry a Handgun (LTCH), allow an individual who may legally possess a firearm to do so on school property if the person is an employee of, a volunteer of, or attending religious services at a house of worship that is located on the school grounds, change the handgun license duration from four years to five years, as well as lower the application fee and require that each issuance of a hunting, fishing, or trapping license be accompanied by a mail voter registration form.

Louisiana

House Bill 235 would improve the state firearms preemption law.

House Bill 281 would allow law-abiding individuals to carry a firearm for self-defense at a place of religious worship.

Maine

Legislative Document 533 would reinforce that an individual has no duty to retreat in a self-defense situation.

Missouri

Senate Bill 5 would modify and create new provisions relating to the initiative and referendum process.

Senate Bill 39 / House Bill 643 would remove the prohibition on law-abiding citizens to carry firearms for self-defense on public transit and in vehicles as well as to transport unloaded or non-functioning firearms on buses.

Senate Bill 121 / House Bill 258 would eliminate “gun-free zones” for persons possessing a valid permit to carry.